

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6348

BILL NUMBER: SB 125

NOTE PREPARED: Apr 29, 2013

BILL AMENDED: Apr 26, 2013

SUBJECT: Child Fatality Reviews and Commission on Children.

FIRST AUTHOR: Sen. Holdman

FIRST SPONSOR: Rep. Mahan

BILL STATUS: Enrolled

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- (1) Establishes the Commission on Improving the Status of Children in Indiana (Commission) to:
 - (A) study issues concerning vulnerable youth;
 - (B) review legislation;
 - (C) cooperate with other entities; and
 - (D) take other actions relating to children.
- (2) Establishes the Child Services Oversight Committee to:
 - (A) review data reports from the Department of Child Services (DCS);
 - (B) review annual reports from the DCS ombudsman;
 - (C) make recommendations to the Commission to improve the delivery of child protection services; and
 - (D) submit an annual report to the Commission.
- (3) Repeals the law establishing the Department of Child Services Interim Study Committee.
- (4) Establishes a local child fatality review team in each county.
- (5) Requires a local child fatality review team to submit an annual report to the State Child Fatality Review Coordinator.
- (6) Requires a local child fatality review team to review the death of a child in certain circumstances.
- (7) Establishes the Statewide Child Fatality Review Committee and requires the committee to:
 - (1) compile and analyze data recorded by local child fatality review teams;
 - (2) review child mortality records;
 - (3) assist local child fatality review teams;
 - (4) assist in or conduct a review of the death of a child in certain circumstances; and

- (5) create strategies and make recommendations for the safety of children and prevention of serious injuries or deaths of children.
- (8) Requires the Indiana State Department of Health (ISDH) to employ a state child fatality review coordinator.

(The introduced version of this bill was prepared by the Department of Child Services Interim Study Committee.)

Effective Date: July 1, 2013.

Explanation of State Expenditures: *Summary:* By creating the Commission on Improving the Status of Children and the Child Services Oversight Committee, this bill could increase state expenditures up to (1) \$9,500 in FY 2014 and (2) \$26,000 per year in FY 2015.

Additionally, the bill transfers the responsibility of local child fatality review teams and the Statewide Child Fatality Review Team from the Department of Child Services (DCS) to the Indiana State Department of Health (ISDH). This transfer is expected to have no net fiscal impact.

However, the bill requires the ISDH to employ a Child Fatality Review Coordinator to assist the Statewide Child Fatality Review Team, the costs of which are to be provided from ISDH funds. In order to fulfill this requirement, ISDH expenditures could increase.

The bill's requirements represent an additional agency workload and expenditures outside of the agency's routine administrative functions, and existing staffing and resource levels, if currently being used to capacity, may be insufficient for full implementation. The additional funds and resources required could be supplied through existing staff and resources currently being used in another program or with new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend on legislative and administrative actions.

Additional Information:

Commission on Improving the Status of Children: This bill will increase state expenditures to provide per diem, travel allowance, and other expenses of the new 18-member Commission. The bill also repeals the existing DCS Interim Study Committee, which otherwise would not have expired until December 31, 2013. Consequently, meeting expenditures for FY 2014 are likely to be offsetting to some extent. This Commission is likely to fall under Legislative Council policies regarding study committees, so based on Legislative Council resolutions in the past, state expenditures could increase by up to \$16,500 per year for this commission beginning in FY 2015. Funding will likely come from the appropriations for the Legislative Council and Legislative Services Agency. The Indiana Judicial Center is to provide staffing for the Commission.

The DCS Interim Study Committee, repealed by the bill, is staffed and funded by the Legislative Services Agency. Committee expenditures totaled \$15,700 during the 2012 interim.

Child Services Oversight Committee: This bill creates the 11-member Child Services Oversight Committee, which falls under the Legislative Council policies regarding study committees. Legislative Council resolutions in the past have established budgets for interim study committees in the amount of \$9,500 per interim for committees with fewer than 16 members. As a result, state expenditures could increase by up to \$9,500 per

year.

Child Fatality Review Teams: The DCS reports the Statewide Child Fatality Review Team meets approximately monthly. The DCS finances the cost of mileage reimbursement for members of the Statewide Team if a member requests reimbursement. The DCS was unable to provide an average meeting cost for the Statewide Child Fatality Review Team; however, average meeting costs are expected to be small.

The DCS is currently in the process of providing training to local child fatality review teams. The training provided is performed in partnership with the National Center for the Review and Prevention of Child Deaths and with other DCS fatality experts. The training for local child fatality review teams was requested by the Statewide Child Fatality Review Team and is to be performed within the coming months. DCS reports that local child fatality review team training has previously not been provided on an ongoing basis.

Explanation of State Revenues:

Explanation of Local Expenditures: *Child Fatality Review Teams:* This bill could increase the workload of the local prosecuting attorneys, local coroners, local health department officials, and local law enforcement agencies to determine if a county or regional child fatality review team should be established for the county.

Additionally, this bill could increase the workload of the local prosecuting attorneys, local coroners, local health department officials, local law enforcement agencies, local emergency medical services, local fire departments (or volunteer fire departments), and local school districts to perform tasks required of local child fatality review teams. Local workload will vary depending on if the county maintains a local child fatality review team or a regional child fatality review team.

Background Information: Local child fatality review teams do not receive reimbursement for their service. Additionally, the DCS reports that not every county currently maintains their own child fatality review team, but that every county is at least represented by a regional fatality review team.

Explanation of Local Revenues:

State Agencies Affected: Legislative Services Agency; Indiana Judicial Center; DOE; FSSA; DOC; OMB; DCS; Division of State Court Administration; ISDH; DMHA; Office of the Attorney General.

Local Agencies Affected: Local prosecuting attorneys, coroners, health department officials, law enforcement agencies, emergency medical services, fire departments (or volunteer fire departments), local court-appointed special advocate programs, and school districts.

Information Sources:

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